

By: Ellis

S.B. No. 1042

A BILL TO BE ENTITLED

AN ACT

relating to domestic preparedness training programs for certain law enforcement officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter F, Chapter 1701, Occupations Code, is amended by adding Section 1701.258 to read as follows:

Sec. 1701.258. DOMESTIC PREPAREDNESS TRAINING PROGRAMS FOR LAW ENFORCEMENT OFFICERS. (a) In this section:

(1) "Domestic preparedness training" means training for law enforcement personnel that relates to:

(A) preparing to respond and responding to weapons of mass destruction;

(B) identifying and disposing of unexploded weaponry; or

(C) managing, preparing to respond to, and responding to a terrorist incident.

(2) "Law enforcement department" means:

(A) the Department of Public Safety of the State of Texas; and

(B) a department of a municipality, county, port authority, navigation district, or airport authority that:

(i) employs persons who are certified by the commission as peace officers; and

(ii) has jurisdiction that includes an

1 airport that services a commercial airline carrier or a seaport.

2 (b) Subject to available funding, a law enforcement
3 department shall implement a program of domestic preparedness
4 training for its law enforcement officers that includes
5 instructional or informational domestic preparedness training
6 courses certified by the commission.

7 (c) The commission shall apply for federal funding
8 available for domestic preparedness training of law enforcement
9 officers. If the commission obtains a federal grant for domestic
10 preparedness training of law enforcement officers, the commission
11 shall:

12 (1) develop requirements, including requirements for
13 sponsors and curriculum, and procedures for domestic preparedness
14 training courses to be certified by the commission;

15 (2) review and certify appropriate domestic
16 preparedness training courses that meet the commission's
17 requirements and procedures for certification;

18 (3) not later than February 1 of each year, allocate to
19 law enforcement departments federal grant money to assist the law
20 enforcement departments in implementing domestic preparedness
21 training programs under this section; and

22 (4) provide other appropriate assistance to law
23 enforcement departments to assist them in implementing domestic
24 preparedness training programs under this section.

25 (d) The commission shall administer a grant program under
26 this section in accordance with federal and state guidelines and
27 may not use more than three percent of the grant funds for

1 administration of the grant program.

2 (e) A law enforcement department must, on request of the
3 commission, provide timely information to help the commission
4 determine the appropriate allocation of funding under this section
5 for that law enforcement department.

6 (f) The head of a law enforcement department must maintain a
7 complete and detailed written record of any federal money related
8 to domestic preparedness training that the law enforcement
9 department receives from the commission and is required to spend in
10 accordance with this section. The commission may audit any funding
11 received under this section by a law enforcement department for a
12 domestic preparedness training program. The state auditor may
13 audit any money spent by a law enforcement department for a domestic
14 preparedness training program under this section.

15 SECTION 2. Not later than January 1, 2004, the Commission on
16 Law Enforcement Officer Standards and Education shall:

17 (1) apply for federal funding available for domestic
18 preparedness training of law enforcement officers as required by
19 Section 1701.258, Occupations Code, as added by this Act;

20 (2) develop procedures to administer a federal grant
21 program for domestic preparedness training of law enforcement
22 officers in accordance with that section; and

23 (3) develop requirements and procedures for
24 certification of appropriate domestic preparedness training
25 courses as required by that section.

26 SECTION 3. Not later than March 1, 2004, the Commission on
27 Law Enforcement Officer Standards and Education shall review and

1 certify appropriate domestic preparedness training courses
2 available through Texas A&M University's Texas Engineering
3 Extension Service and its National Emergency Response and Rescue
4 Training Center that meet the requirements and procedures for
5 certification developed by the commission.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2003.